

A RESOLUTION

BY FINANCE EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC., PURSUANT TO CITY CODE SECTION 2-1191 (SOLE SOURCE PROCUREMENT), FOR THE OPERATION AND MAINTENANCE OF THE AUTOMATED GUIDEWAY TRANSIT SYSTEM AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, FOR AN INITIAL TEN (10) YEAR TERM, WITH TWO (2) FIVE (5) YEAR RENEWAL OPTIONS AT THE CITY'S SOLE DISCRETION, IN THE ANNUAL NOT TO EXCEED COMPENSATION AMOUNTS AS SET FORTH IN THIS RESOLUTION; AND FOR OTHER PURPOSES. ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 2H01 523001 R49001 (AIRPORT REVENUE FUND - SERV/REPAIR/MAINT CONT - AUTOMATED GATEWAY TRANSIT SYSTEM).

WHEREAS, the Automated Guideway Transit System ("AGTS") at Hartsfield-Jackson Atlanta International Airport ("Airport") is a sole source/proprietary system originally designed, fabricated, installed, operated and maintained within the Central Passenger Terminal Complex ("CPTC") under a Contract between the City of Atlanta ("City") and Westinghouse Electric Corporation ("Westinghouse"), dated April 26, 1977; and

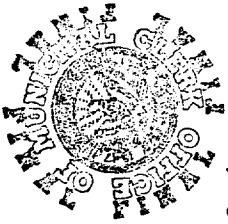
WHEREAS, since the initial construction of the AGTS, the City's Bureau of Purchasing and Real Estate n/k/a Department of Procurement has designated Westinghouse and its successors in interest, ABB Daimler-Benz, AdTranz and Bombardier Transportation (Holdings) USA Inc. ("Bombardier") as sole source providers of Operation and Maintenance Services ("O&M Services") for the AGTS, pursuant to City Code Section 2-1191;

WHEREAS, pursuant to such sole source designations, the City has executed O&M Services Contracts with Bombardier and its predecessors in interest dated September 1, 1985, December 20, 1988, March 5, 1996 and May 18, 1998; and

WHEREAS, the most current Contract between the City and Bombardier expired on March 31, 2000, and has continued on a month-to-month basis through June 30, 2005, pursuant to legislation enacted by the City; and

WHEREAS, the Department of Procurement has designated Bombardier to be a sole source provider of O&M Services under a new Contract between the City and Bombardier and the parties have concluded negotiations concerning such new Contract; and

WHEREAS, accordingly, the City has determined that it is desirable and in its best interests to execute with Bombardier a new Contract for O&M Services for an initial ten (10) year term, with two (2) five (5) year renewal options at the City's sole discretion; and



WHEREAS, during the initial ten (10) year term, Bombardier will be compensated in the annual not to exceed amounts shown in Exhibit A attached.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute, on behalf of the City, a Contract with Bombardier for O&M Services for an initial ten (10) year term, with two (2) five (5) year renewal options at the City's sole discretion.

BE IT FURTHER RESOLVED, that during the initial ten (10) year term, Bombardier will be compensated in the annual not to exceed amounts shown in Exhibit A attached.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare an appropriate Contract for execution by the Mayor.

BE IT FURTHER RESOLVED, that the Contract will not become binding upon the City and it will incur no liability under it until it has been executed by Bombardier and the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Bombardier.

A true copy.

Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUL 05, 2005

JUL 14, 2005



EXHIBIT A

**City of Atlanta
Department of Aviation
Hartsfield-Jackson Atlanta International Airport
Operation and Maintenance (O&M) Contract for the
Automated Guideway Transit System (AGTS)
Compensation Table**

	Year 1
Direct Labor (Note 1)	\$ 4,320,417
Labor Burden (Note 2)	1,343,650
Materials / Equipment & Services (Note 3)	2,593,916
Management Fee (Note 4)	1,550,000
Special Projects	250,000
Incentives (Maximum Amount)	193,764
Total Maximum Payment/Reimbursement Amount	<u>\$10,251,747</u>

Notes:

1. No overtime is currently budgeted or planned. Salary increases throughout the contract term will be in accordance to Bombardier's personnel practices.
2. Labor burden based on 31.1% of regular salaries / 16.95% for overtime pay.
3. Materials/Equipment will be escalated in accordance with the Electrical Machinery and Equipment Index (WPI117) and Metal Products Index (PPI 10), as most appropriate for the type of Materials/Equipment, as published by the U.S. Bureau of Labor Statistics. Services to be escalated in accordance with the Consumer Price Index - All Urban Consumers; Series ID CUURA319SA0; Area: Atlanta, GA; All items; 1982-84=100; NSA.
4. Management Fee fixed for initial ten (10) year term of contract, as follows:

Year 1	- \$1,550,000
Year 2	- \$1,550,000
Year 3	- \$1,550,000
Year 4	- \$1,600,000
Year 5	- \$1,650,000
Year 6	- \$1,700,000
Year 7	- \$1,750,000
Year 8	- \$1,800,000
Year 9	- \$1,850,000
Year 10	- \$1,910,000

RCS# 6818
7/05/05
3:14 PM

Atlanta City Council

Regular Session

05-R-1118 CONTRACT W/BOMBARDIER TRANS HOLDINGS USA
AUTOMATED GUIDEWAY TRANSIT SYS
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

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- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

ADOPTED BY

Date Referred

Referred To:

JUL 05 2005

Date Referred

COUNCIL

Referred To:

First Reading

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Chair _____
Referred To _____

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